

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

## **ORDER**

Petitioner, a federal prisoner appearing pro se, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Bana Roberts who issued her Report and Recommendation, recommending that the petition be denied. In particular, Judge Roberts determined that petitioner's claim involving the respondent's alleged failure to place him in a residential drug abuse program was moot and that petitioner's due process claims, involving respondent's alleged delay in placing him in the treatment program, did not entitle petitioner to habeas corpus relief. The matter is currently before the Court on petitioner's objection to the Report and Recommendation.<sup>1</sup>

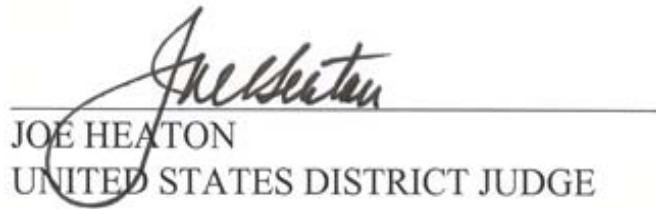
Having considered the matter de novo, the Court concurs with Judge Robert's conclusion that petitioner is not entitled to habeas corpus relief. Accordingly, for substantially the same reasons as set forth in the Report and Recommendation, the Report

<sup>1</sup>Because petitioner has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).

and Recommendation is **ADOPTED** in its entirety. Petitioner's petition for writ of habeas corpus is **DENIED**.

**IT IS SO ORDERED.**

Dated this 3<sup>rd</sup> day of November, 2005.



Joe Heaton  
JOE HEATON  
UNITED STATES DISTRICT JUDGE